

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2021-386-T - ORDER NO. 2022-133

APRIL 4, 2022

IN RE: Application of R & M Charlotte LLC d/b/a) ORDER GRANTING
Two Men and a Truck of Charlotte to Amend) APPROVAL OF AMENDED
Its Tariff) TARIFF

I. INTRODUCTION

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the Request of R & M Charlotte LLC d/b/a Two Men and a Truck of Charlotte (hereinafter referred to as “R & M” or “Company”) for Approval of its Amended Tariff. R & M is a holder of a Class E Household Goods Motor Carrier Certificate and seeks to update its rate structure and moving fees, among other changes. The Commission approves R & M’s tariff amendments, as set forth in this order.

II. FACTS AND PROCEDURAL HISTORY

R & M, a limited liability company, was granted statewide authority to transport household goods in South Carolina on August 20, 2001¹. By way of background, the Company merged with Roeder & Moore, LLC in 2019 to become R & M Charlotte LLC.² On December 28, 2021, the Company filed an Application with the Commission to Amend its Tariff (“Application”).

¹ Order No. 2001-763 granted Roeder & Moore, LLC d/b/a Two Men and a Truck of Charlotte and Two Men and a Truck of Rock Hill a Class E Certificate of Public Convenience and Necessity (Certificate No. 9713).

² See Order No. 2020-15; Docket No. 2019-391-T.

By letter dated December 31, 2021, the Clerk's Office of the Commission instructed R & M to publish the Notice of Filing ("Notice") in newspapers of general circulation in the areas affected by the Application. The Notice summarized the Company's initial proposed changes and advised any person desiring to participate as a party of record to file a Petition to Intervene on or before February 4, 2022. The Notice was published in *The State* on January 10, 2022, and *The Greenville News* on January 11, 2022. As required, R & M filed its Affidavit of Publication for the filings on January 13, 2022. No person or entity intervened.

The primary update to R & M's tariff is its new rate structure, which incorporates "peak" and "non-peak" rate schedules for pricing. R & M's peak rate applies from April through September each year, and the non-peak rate applies from January through March and October through December. The Company's existing tariff and its proposed tariff are both illustrated below.

The South Carolina Office of Regulatory Staff ("ORS") filed a notice of appearance in this matter on January 5, 2022, and thereafter reviewed R & M's Application. ORS submitted its Impact Study letter on February 7, 2022. The Company is currently in compliance with all Commission rules and regulations. Additionally, ORS has received no complaints regarding R & M in the past year, and the Company is in compliance with Annual Report and Gross Receipt filing requirements.

ORS provided the Tariff Comparison shown below, which displays the increase in R & M's proposed rates from its existing rates. R & M also seeks to reduce the minimum charge for moves from two hours to one hour and will update its customer options for available damage coverage.

After careful review, the Commission found the changes summarized above to be reasonable. The Commission addressed the proposed Amended Tariff in a business

meeting on February 24, 2022. Chairman Justin T. Williams presided, and the request was approved.

III. APPLICABLE LAW

The Commission is specifically authorized to regulate carriers of household goods, and to set their rates and charges: "[t]he commission must promulgate regulations necessary to control entry and certification standards, set rates and charges, and establish enforcement procedures and powers to govern the operations of carriers of household goods and hazardous waste for disposal." S. C. Code Ann. § 58-23-590 (2015).

The Commission is authorized to fix or approve the rates charged by every South Carolina motor vehicle carrier: "[t]he commission shall regulate every motor carrier in this State and fix or approve the rates, fares, charges, classifications, and regulations pertaining to each motor carrier.... The rates once established remain in effect until such time when the commission determines the rates are unreasonable." § 58-23-1010.

1. The commission shall make, fix, establish, or allow just and reasonable rates, fares, charges, classifications, and rules for all motor carriers subject to its rate jurisdiction.
2. As often as circumstances may require, the commission upon notice and hearing, if deemed necessary, from time to time may change or revise, or cause to be changed or revised, any rates, fares, charges, classifications, and rules of a carrier who operates under a Certificate of PC&N.

Regulation 103-191, S. C. Code of Regulations (2012).

"Every rate made, demanded, or received by any motor carrier operating under a Certificate of PC&N... shall be just and reasonable." Reg. 103-192. Once rates are approved, motor carriers are prohibited from charging more or less than the rates specified in lawful tariffs, schedules, or by specific order of the Commission:

[N]o motor carrier operating under a Certificate of PC&N shall charge... a greater or lesser or different compensation for transportation, or for any service rendered, than the rates, fares, and charges specified in the lawfully applicable tariffs or schedules in effect from time to time.

S.C. Code Ann. Regs. 103-198 (2012).

IV. FINDINGS OF FACT

After review of the Application and all of the evidence in the record, the Commission makes the following findings of fact.

1. R & M provided a proposed Amended Tariff, setting forth increases in the cost of its moving services, as well as other tariff amendments.
2. The Commission finds R & M's Amended Tariff to be appropriate.
3. ORS reviewed the Application of R & M and provided a tariff comparison chart.
4. ORS determined R & M is in compliance with all applicable Commission rules and regulations, including the Annual Report and Gross Receipt filing requirements.
5. ORS has not received any consumer complaints about R & M in the past twelve months.
6. After review of the Application and the Impact Study prepared by ORS, the Commission finds the proposed amendments to the tariff are just and reasonable.

V. CONCLUSIONS OF LAW

After review of the Application and all of the evidence in the record, the Commission makes the following conclusions of law:

1. The Commission concludes R & M's proposed amendments to the rates and other tariff changes are reasonable pursuant to Regulations 103-191 and 192 of the South Carolina Code of State Regulations.

2. The Commission finds the proposed amendments to the tariff shall be approved pursuant to the authority of the Commission set forth in sections 58-23-590 and 1010 of the South Carolina Code of Laws (2015).

VI. ORDERING PROVISIONS

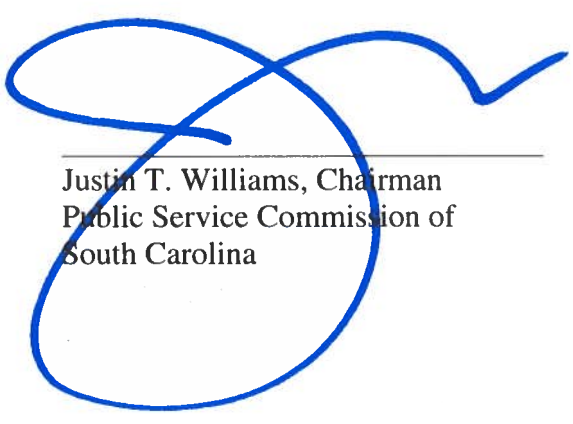
IT IS THEREFORE ORDERED THAT:

1. The Application of R&M Charlotte LLC d/b/a Two Men and a Truck of Charlotte to amend its tariff is granted as set forth in this order.

2. The proposed amendments to the rates and other changes in the Proposed Amended Tariff, filed with the Commission on February 4, 2022, are hereby approved. A copy of the Final Tariff is attached hereto as Order Exhibit 1.

3. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



Justin T. Williams, Chairman
Public Service Commission of
South Carolina

REGULATIONS AND SCHEDULE OF CHARGES
APPLICABLE TO
INTRASTATE HOUSEHOLD GOODS MOVES
WITHIN THE STATE OF SOUTH CAROLINA

This tariff contains the regulations and rates applicable to the provision of intrastate household goods moves by R&M Charlotte LLC. These services are furnished between all points and places within the State of South Carolina.

William Moore III, Managing Member
R&M Charlotte LLC dba Two Men and A Truck of Charlotte
3653 Trailer Drive
Charlotte NC 28269

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William Moore III, Managing Member
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3653 Trailer Drive
Charlotte NC 28269

SECTION 1 – TRANSPORTATION CHARGES

1. Transportation Charges include the hourly rates as listed below.

1.1 Hourly Rates and Charges

1.1.1 Moves up to 35 miles

For moves up to 35 miles round trip, the Company will charge a one (1) hour minimum and one (1) hour of travel time. After the first hour, the hourly rates are calculated in fifteen-minute increments. Any interim charge is rounded up to the next fifteen-minute increment. If customers cancel within 48 hours of their move, the Company will charge a one-hour minimum fee.

1.1.2 Moves over 35 miles

For moves over 35 miles round trip from our office, moves will be conducted on a “straight time” basis, with a one (1) hour minimum plus estimated travel time. After the first hour, the hourly rates are calculated in fifteen-minute increments. Any interim charge is rounded up to the next fifteen-minute increment. If customers cancel within 48 hours of their move, the Company will charge a one-hour minimum fee.

1.1.3 Variation in Hourly Rates

Hourly rates will fluctuate based on the time of year, listed as Peak Season (April-September) and Non-Peak Season (January-March, October-December). Rates are listed in Section 1.1.5 or 1.1.6. There shall be an additional labor charge premium for requested dates that fall on weekends (Saturdays or Sundays), and national or state holidays listed in Section 1.1.7. To clarify, customers will be charged the labor charge premium only once in the event a move is conducted on a day that is both a weekend day and a national or state holiday.

1.1.4 Customers are not charged an additional fee for overtime labor.

William Moore III, Managing Member
R&M Charlotte LLC dba Two Men and A Truck of Charlotte
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Charlotte NC 28269

SECTION 1 – TRANSPORTATION CHARGES (cont'd)

1.1.5 The Hourly Peak Rates follow:

<u>Number of Movers</u>	<u>Hourly Rate</u>
Two Men and a Truck	\$150.00
Three Men and a Truck	\$190.00
Each Additional Man	\$40.00
Additional Truck	\$75.00
Additional Weekend and Holiday Premium*	\$15.00

1.1.6 The Hourly Non-Peak Rates follow:

<u>Number of Movers</u>	<u>Hourly Rate</u>
Two Men and a Truck	\$130.00
Three Men and a Truck	\$170.00
Each Additional Man	\$40.00
Additional Truck	\$75.00
Additional Weekend and Holiday Premium*	\$15.00

1.1.7

*Holiday Premium applicable to the Federal Holidays and Observances: New Year's Day, Martin Luther King Day, Presidents' Day, Easter, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Christmas Eve, Christmas Day, New Year's Eve.

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SECTION 2 – ADDITIONAL SERVICES

2. The following provisions apply to moves and additional services performed by the Company in connection with a move. The Company reserves the right to decline, at its sole discretion, to move particular items because of their bulk or fragile nature.

2.1 Elevator or Stair Carry

The Company does not charge an additional fee for elevator or stair carry.

2.2 Excessive Distance or Long Carry Charges

The Company does not charge an additional fee for carrying articles an excessive distance from the motor vehicle.

2.3 Packing and Unpacking

The Company does not charge an additional fee for packing and unpacking. The packing rate is the same as the hourly rate listed in Section 1.1 plus the market price of packing materials, including sales tax on the materials.

2.4 Labor Charges

Labor Charges are based on hourly rates listed in Section 1.1. The applicable rate is multiplied by the number of hours.

2.5 Pick-Up and Delivery, Extra

The Company does not charge an additional fee for making additional pick-ups or deliveries after the initial stop.

2.6 Waiting Time

The shipper is charged the rates specified in Section 1.1 for all waiting time or delays not the fault of the carrier.

2.7 Articles, Special Servicing

The rates and charges in this tariff do not include servicing or unservicing articles or appliances such as freezers, refrigerators, computer equipment, washers, dryers, televisions, and similar articles. The Company does not disconnect or reconnect the shipper's appliances and articles.

2.8 Overnight Storage Charges for Items on Trucks

Overnight storage charges will be incurred in the event the Company stores items on a truck at a rate of \$300/truck/night.

William Moore III, Managing Member
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SECTION 3 – RULES AND REGULATIONS

3.

3.1 Claims

- 3.1.1 All claims for loss, damage or overcharge must be written and should be attached to the Bill of Lading.
- 3.1.2 Claimant must immediately notify carrier of all claims for concealed damage. Carrier must be given reasonable opportunity to inspect damaged items in original packing.
- 3.1.3 Claims should be submitted to the carrier within 9 months of receipt of goods.
- 3.1.4 Carrier is clear of any claims once door is closed on self-storage facility that is in the control of the shipper. Liability ceases at end of services.
- 3.1.5 Valuation coverage is determined before the move starts by the shipper on the Addendum to the Uniform Household Goods Bill of Lading.
- 3.1.6 Valuation coverage determination has two options that can be selected:
 - 3.1.6.1 Option 1: Basic Valuation is rated at \$.60/lb per item if loss or damage occurs during the move. Further explained on page 13 in the Addendum form that will be provided to the shipper on day of service.
 - 3.1.6.2 Option 2: Full Valuation is rated at \$4.00/lb per item if loss or damage occurs during the move. Calculation for determining coverage: estimated weight (as determined by our software) x \$4.00 = Coverage \$; Calculation for determining cost of Full Valuation Coverage: Coverage \$ / 100 x .75 = Cost to Shipper. Further explanation on page 13 in the Addendum form that will be provided to the shipper on day of service.

3.2 Computing Charges

The Company's rates are computed by multiplying the applicable hourly rate by the time as provided in Section 1.1.

3.3 Governing Publications

The Company's rates and charges are governed by the terms and conditions of this tariff, and the Rules and Regulations of the South Carolina Public Service Commission.

3.4 Storage-in-Transit

Carrier will require payment when a shipment is delivered to a temporary storage warehouse. Charges are calculated as provided in Section 1.1.

William Moore III, Managing Member
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SECTION 3 – RULES AND REGULATIONS (con't.)

3.5 Items of Particular Value

The Company does not assume any liability whatsoever for documents, currency, money, credit cards, jewelry, watches, precious stones or articles of extraordinary value including accounts, bills, deeds, evidences of debt, securities, notes, postage stamps, stamp collections, trading stamps, revenue stamps, letters or packets of letters, alcoholic beverages, firearms, coin collections, articles of peculiarly inherent or intrinsic value, precious metals, or articles manufactured therefrom. The Company will not accept responsibility for safe delivery of such articles if they come into the Company's possession with or without the Company's knowledge.

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